



# City of Marietta

205 Lawrence Street  
Post Office Box 609  
Marietta, Georgia 30061

## Meeting Minutes CITY COUNCIL

*R. Steve Tumlin, Mayor*  
*Stuart Fleming, Ward 1*  
*Grif Chalfant, Ward 2*  
*Johnny Walker, Ward 3*  
*G. A. (Andy) Morris, Ward 4*  
*Vacant, Ward 5*  
*Michelle Cooper Kelly, Ward 6*  
*Philip M. Goldstein, Ward 7*

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Wednesday, June 8, 2016

7:00 PM

Council Chamber

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**Presiding:** R. Steve Tumlin, Mayor

**Present:** Stuart Fleming, Grif Chalfant, Johnny Walker, G. A. (Andy) Morris,  
Michelle Cooper Kelly and Philip M. Goldstein

***Also Present:***

*William F. Bruton, Jr. City Manager*

*Douglas R. Haynie, City Attorney*

*Stephanie Guy, City Clerk*

### CALL TO ORDER:

*Mayor R. Steve Tumlin called the meeting to order at 7:03 p.m.*

### INVOCATION:

*Mayor Tumlin called upon Council member Kelly to give the invocation.*

### PLEDGE OF ALLEGIANCE:

*Mayor Tumlin asked everyone to remain standing for the Pledge of Allegiance.*

### PRESENTATIONS:

**20160543**

#### **Citizens' Government Academy Graduates**

The following are graduates from our 2016 Citizens' Government Academy Class

Sherstin Batista  
Ken Bittinger

Pat Jester  
Willie Mae Jones

Sharon Bittinger	Jennifer Kobylus
Fred Brown	Nancy Loeffel
Laurie Crowe Middleton	Ellen McNeel
Patrick Dale	Fred Onken
King Dasher	Becky Stiles
Kelly Evans	Jim Suss
Cedric Evans Sr.	Gerald Weaver
Rafael Garcia	Linda Williams
Wes Gwinn	Pat Wills
Victor Jester	

**Presented****20160562      Graduates from the Marietta Citizens' Police Academy**

Acker, Cynthia	Hess, Allan
Acker, Daniel	Mason, Ron
Eison, Jerry	Mayer, Joan
Eison, Linda	Norris, Dewaine
Estep, Deborah	Powers, Patricia
Gheesling, Murray	Shelow, Robert
Gheesling, Karen	Smith, Ann
Harlow, Heather	Wilson, Mary

**Presented****PROCLAMATIONS:****20160503      Outstanding Young Citizen**

Presentation of a Proclamation by Mayor Tumlin and Council Member Michelle Kelly to Sophie Edwards, a 7th Grader at Marietta Middle School for her outstanding accomplishments.

**Presented****ANNOUNCEMENTS OF GENERAL COMMUNITY INFORMATION BY THE MAYOR, COUNCIL AND/OR CITY MANAGER:****SCHEDULED APPEARANCES:****CONSENT AGENDA:**

Consent agenda items are marked by an asterisk (\*). Consent items are approved by majority of council. A public hearing will be held only for those items marked by an asterisk that require a public hearing (also noted on agenda).

*Pro tem Johnny Walker briefly explained the consent agenda process. City Attorney Douglas Haynie noted the following changes to the consent agenda:*

*-under Minutes: Agenda item 20160603 was added to the consent agenda as amended.*

*-under Ordinances: Agenda item 20160368 remains on consent and amended to include Letter of stipulations dated June 7, 2016.*

*-under Ordinances: Agenda item 20160385 was added to the consent agenda and amended to approve the rezoning request from OIT (Office Institution Transitional) to R-4, Single Family Residential (4 units/acre).*

*-under Judicial/Legislative: Agenda item 20160498 was added to the consent agenda and amended to add the following language: All work on the fencing to screen the cooler, as well as work on the required privacy fence (finished side facing the exterior) between 569 Frasier Street and 553 Frasier Street must be completed by August 6, 2016. All other conditions and stipulations approved in conjunction with the approval to rezone the property on February 10, 2016, shall remain in full force and effect.*

*-under Parks and Rec: Agenda items 20160599, 20160600 and 20160601 were added to the consent agenda.*

*-under Personnel/Insurance: Agenda item 20160346 was added to the consent agenda.*

*-under Public Works: Agenda item 20160552 was added to the consent agenda and amended to read, "Motion to authorize the installation of speed signs on West Dixie and Gramling Streets. Further, the speed limit on Gramling Street shall be reduced to 25 mph."*

*-under Public Works: Agenda item 20160423 was amended to read, "Motion to begin the process to install two speed tables on Knollwood Drive, Hope Street, Pamela Street and Forest Lane."*

*-under Other Business: Agenda item 20160561 was amended to read, "...If either of the Chairmen or Vice Chairman is unable or declines to serve for any reason, then a member of the applicable committee shall serve in their stead..."*

*-under Other Business: Agenda item 20160563 was removed from the consent agenda.*

*Mr. Haynie opened the public hearing for those items on the consent agenda requiring a public hearing. Seeing no one wishing to speak, the public hearing was closed.*

**A motion was made by Council member Kelly, seconded by Council member Fleming, to approve the consent agenda as modified. The motion carried by the following vote:**

**Vote: 6 – 0 – 0****Approved***with the exception of the following:**Council member Goldstein abstaining on agenda items 20160493, 20160599, 20160600, 20160601, 20160483**Council member Goldstein voting against agenda items 20160423, 20160552 and 20160561***MINUTES:****\* 20160548 Regular Meeting - May 11, 2016**

Review and approval of the May 11, 2016 regular meeting minutes.

**This matter was Approved on the Consent Agenda.****Vote: 6 – 0 – 0****Approved****\* 20160549 Special Meeting - May 20, 2016**

Review and approval of the May 20, 2016 special meeting minutes.

**This matter was Approved on the Consent Agenda.****Vote: 6 – 0 – 0****Approved****\* 20160550 Executive Session Minutes**

Review and approval of the following executive session minutes:

September 10, 2014 Agenda Review Session

September 23, 2014 Special Called Agenda Work Session

October 6, 2014 Agenda Work Session

October 8, 2014 Agenda Review Session

November 10, 2014 Agenda Work Session

**This matter was Approved on the Consent Agenda.****Vote: 6 – 0 – 0****Approved****\* 20160603 Executive Session Minutes**

Review and approval of the Executive Session Minutes for Thursday, December 18, 2014, Special Called Agenda Work Session.

**This matter was Approved on the Consent Agenda.****Vote: 6 – 0 – 0****Approved**

**MAYOR'S APPOINTMENTS: (for informational purposes only)****20160573      Marietta Housing Authority Appointment**

Appointment of Chervonta "Taye" Pugh to the Marietta Housing Authority Board for a one year term expiring May 31, 2017.

**Made**

**20160574      Marietta Housing Authority Appointment**

Appointment of Andre Sims to the Marietta Housing Authority for a five (5) year term expiring May 31 2021.

**Made**

**CITY COUNCIL APPOINTMENTS:****\*      20160454      Historic Preservation Commission Appointment - Ward 1**

Appointment of Brian McNair to the Marietta Historic Preservation Commission (Ward 1), to fill the unexpired term of Amy Robbins, expiring January 14, 2018.

**This matter was Approved on the Consent Agenda.**

**Vote: 6 – 0 – 0                      Approved**

**\*      20160545      Planning Commission Appointment**

Appointment of Jay Davis to the Planning Commission (Ward 1) for a term of three (3), expiring June 8, 2019.

**This matter was Approved on the Consent Agenda.**

**Vote: 6 – 0 – 0                      Approved**

**\*      20160557      Historic Board of Review Appointment**

Appointment of Kellie Contreras to the Historic Board of Review (Ward 6) for a term of two (2) years, expiring June 8, 2018.

*Council member Goldstein disclosed that Kellie Contreras is one of his tenants.*

**This matter was Approved on the Consent Agenda.**

**Vote: 6 – 0 – 0                      Approved**

\*      **20160597                    Cobb-Marietta Water Authority Appointment**

Motion appointing Grif Chalfant to the Cobb-Marietta Water Authority for a term of five (5) years, expiring August 14, 2021.

**This matter was Approved on the Consent Agenda.**

**Vote: 6 – 0 – 0                                    Approved**

**ORDINANCES:**

\*      **20160368                    Z2016-10 [REZONING] ASHLEY PECKICH**

Z2016-10 [REZONING] ASHLEY PECKICH is requesting the rezoning of 3.28 acres located in Land Lot 1225, District 16, Parcel 1410 2nd Section, Marietta, Cobb County, Georgia, and being known as 999 Whitlock Avenue Suite 1 from NRC (Neighborhood Retail Commercial) to NRC (Neighborhood Retail Commercial) with an additional use for indoor dog boarding. Ward 3A.

*Motion to approve the rezoning request with the inclusion of the Letter of stipulations from Adam J. Rozen, Sams, Larkin, Huff & Balli, to Russell J. Roth, AICP, Planning & Zoning Manager for the City of Marietta, dated June 7, 2016.*

*Public Hearing held during the consent agenda.*

**This matter was Approved on the Consent Agenda.**

**Vote: 6 – 0 – 0                                    Approved as Amended**

\*      **20160369                    Z2016-11 [REZONING] THE SUTTON GROUP (CHERYL WHITMER)**

Z2016-11 [REZONING] THE SUTTON GROUP (CHERYL WHITMER) is requesting the rezoning of 0.46 acres located in Land Lot 1014, District 16, Parcels 0840, 0830, and 0810, 2nd Section, Marietta, Cobb County, Georgia, and being known as 387 & 390 Roselane Street; and 880 Cogburn Avenue from R-2 (Single Family Residential - 2 units / acre) to OI (Office Institutional). Ward 4B.

*Public Hearing held during the consent agenda.*

**This matter was Approved on the Consent Agenda.**

**Vote: 6 – 0 – 0                                    Approved**

\*      **20160385                    Z2016-12 [REZONING] FROG DEVELOPMENT, LLC**

Z2016-12 [REZONING] FROG DEVELOPMENT, LLC is requesting the rezoning of 0.25 acres located in Land Lot 1216, District 16, Parcel 0530, 2nd Section, Marietta, Cobb County, Georgia, and being known as 413 Washington Avenue from OIT (Office Institution Transitional) to OIT (Office Institution Transitional) to R-4, Single Family Residential (4 units/acre). Ward 5A.

*Motion to approve the rezoning request as amended, from OIT (Office Institution Transitional) to R-4, Single Family Residential (4 units/acre).*

*It is noted for the record that the property owner does agree with the amendment.*

*Public Hearing held during the consent agenda.*

**This matter was Approved on the Consent Agenda.**

**Vote: 6 – 0 – 0**

**Approved as Amended**

**20160386**

**Z2016-13 [REZONING] HCA REALTY, INC (TRATON HOMES, LLC)**

Z2016-13 [REZONING] HCA REALTY, INC (TRATON HOMES, LLC) is requesting the rezoning of 13.92 acres located in Land Lots 1016 and 1017, District 16, Parcels 0190, 0210, 0100, and 0300, 2nd Section, Marietta, Cobb County, Georgia, and being known as 720, 730, and 750 Canton Road; and 899 Cobb Parkway North from OI (Office Institutional) to PRD-MF (Planned Residential Development - Multi-Family). Ward 5B.

*Council member Goldstein disclosed that he and/or entities that he owns or is affiliated with have been represented by Kevin Moore.*

*City Attorney Doug Haynie opened the public hearing and explained the rules of order. Mr. Haynie then swore in those wishing to speak.*

*Planning and Zoning Manager, Rusty Roth, presented a request to rezone property known as 720, 730, and 750 Canton Road; and 899 Cobb Parkway North from OI (Office Institutional) to PRD-MF (Planned Residential Development – Multi-Family).*

*Mr. Kevin Moore, Attorney at Moore Ingram Johnson & Steele, LLP, for the Applicant, requested to rezone the 13.2 acres of property in order to build a 90 unit townhome development. Mr. Moore presented the site plan that showed the proposed location of the townhomes and amenities, which included a clubhouse and swimming pool. He also submitted a letter of stipulations dated June 6, 2016.*

*The City Attorney called forward those wishing to speak regarding this matter. Mr. Terry Robbins, who lives on Sequoia Drive, expressed concern regarding increased traffic and lack of buffer proposed for the project.*

*Mr. Dean Custance, who lives in the Kennesaw Heights Subdivision, also expressed concern regarding the increased and cut-thru traffic.*

*In rebuttal, Mr. Moore stated that there is a substantial buffer planned for the development. The applicant would also be willing to work with residents and the City regarding traffic calming solutions.*

*The public hearing was closed.*

*Discussion was held regarding traffic calming solutions for Sequoia Avenue and surrounding area.*

*A motion was made by Council member Morris, seconded by Council member Chalfant, to approve the rezoning request for property located at 720, 730, and 750 Canton Road; and 899 Cobb Parkway North from OI (Office Institutional) to PRD MF (Planned Residential Development Multi Family), with the following stipulations are incorporated as conditions of zoning: Letter of stipulations from J. Kevin to Russell J. Roth, AICP, Planning & Zoning Manager for the City of Marietta, dated June 6, 2016.*

**The motion carried by the following vote:**

**Vote: 6 – 0 – 0**

**Approved**

**\* 20160387**

**Z2016-14 [REZONING] SOUTH COAST INVESTORS, LCC (SAWCO DEVELOPMENT GROUP, LLC)**

Z2016-14 [REZONING] SOUTH COAST INVESTORS, LCC (SAWCO DEVELOPMENT GROUP, LLC) is requesting the rezoning of 0.73 acres located in Land Lot 1216, District 16, Parcel 0430, 2nd Section, Marietta, Cobb County, Georgia, and being known as 362 Lawrence Street from R-4 (Single Family Residential - 4 units / acre) to OIT (Office Institution Transitional). Ward 5A.

*Public Hearing held during the consent agenda.*

**This matter was Approved on the Consent Agenda.**

**Vote: 6 – 0 – 0**

**Approved**

**\* 20160309**

**CA2016-04 [CODE AMENDMENT]**

CA2016-04 [CODE AMENDMENT] Proposal to amend the Comprehensive Development Code of the City of Marietta, Division 708.01(B), Division 708.02(B), Division 708.03(B) Division, 708.04(B), Division 708.23(B), Division 708.23(D), Division 712.01(Table B), Division 712.02(B), Division 712.02(C), and Division 724.02 Definitions, regarding personal care homes and group homes.

*Public Hearing held during the consent agenda.*

**This matter was Approved on the Consent Agenda.**

**Vote: 6 – 0 – 0**

**Approved**

**RESOLUTIONS:**

**CITY ATTORNEY'S REPORT:**

**CITY MANAGER'S REPORT:**

**MAYOR'S REPORT:**

**COMMITTEE REPORTS:**



**1. Economic/Community Development: G. A. (Andy) Morris, Chairperson****\* 20160502 Program Year 2016 CDBG Sub-recipient Agreement**

Approval of a Resolution re-amending the program year 2016 CDBG Sub-recipient Agreement between the City of Marietta and Cobb County CDBG Program.

**This matter was Approved on the Consent Agenda.**

**Vote: 6 – 0 – 0                      Approved**

**2. Finance/Investment: Stuart Fleming, Chairperson****\* 20160452 2016 GMA Annual Convention**

Motion approving travel and training expenses for the Mayor and Council members who wish to attend the Georgia Municipal Association (GMA) 2016 Annual Convention in Savannah, GA June 23 - 28, 2016.

**This matter was Approved on the Consent Agenda.**

**Vote: 6 – 0 – 0                      Approved**

**\* 20160464 Adoption of Recommended Budget for FY2017**

Motion approving an Ordinance adopting an Annual Budget for the fiscal year beginning July 1, 2016 and ending June 30, 2017, for the various funds of the City of Marietta and enacting the tentative Ad Valorem tax levies for said fiscal year for support of the City of Marietta governmental operations and other public purposes, and debt service obligations.

**This matter was Approved on the Consent Agenda.**

**Vote: 6 – 0 – 0                      Approved**

**\* 20160478 Financial Advisory Agreement for refunding 2009 Citywide Project Revenue Bonds**

Motion approving the Financial Advisory Agreement with Raymond James and Associates for Financial Advise Server for the refunding of the 2009 Citywide Project Revenue Bonds.

**This matter was Approved on the Consent Agenda.**

**Vote: 6 – 0 – 0                      Approved**

\*      **20160479                      To Engage Services of Bond Attorney**

Motion to engage Teresa P. Finister of Murray, Barnes, Finister, LLP as Bond Counsel for a fee not to exceed \$35,000 and to serve as Disclosure Counsel for a fee not to exceed \$25,000 contingent upon the issuance of new bonds for the refunding of the 2009 DMDA Citywide Project Revenue Bonds.

**This matter was Approved on the Consent Agenda.**

**Vote: 6 – 0 – 0                      Approved**

\*      **20160487                      Donation to the Tree Preservation Fund by PRO Building Systems, Inc. (Ed Voyles)**

Ordinance approving an amendment to the Fiscal Year 2016 Tree Preservation Fund budget to receive and appropriate a donation from PRO Building Systems, Inc. (Ed Voyles) for the amount of \$11,275.

**This matter was Approved on the Consent Agenda.**

**Vote: 6 – 0 – 0                      Approved**

**3. Judicial/Legislative: Philip M. Goldstein, Chairperson**

\*      **20160501                      Z2016-20 [REZONING] CITY OF MARIETTA**

Z2016-20 [REZONING] CITY OF MARIETTA is requesting the rezoning of 28.6 acres located in Land Lots 716, 717, 724, & 725, District 17, Parcel 0140, 2nd Section, Marietta, Cobb County, Georgia, and being known as 1019 Franklin Gateway from PRD-MF (Planned Residential Development - Multi Family) to PCD (Planned Commercial Development). Ward 6A.

**This matter was Approved on the Consent Agenda.**

**Vote: 6 – 0 – 0                      Approved for Advertisement**

**20160498                      First Christian Church (Disciples of Christ) - Fence Stipulation**

Request by First Christian Church (Disciples of Christ) Marietta, Georgia, Inc. to replace stipulation #5 of Z2016-01 (#20151122) regarding material adjacent to the outside cooler with:

5. Outside walk-in cooler shall be screened by pressure treated wood fencing material on the exterior side of the cooler (but not attached to it), and which shall extend 2 feet above the side of the cooler to screen the compressors.

*Motion to approve with the addition of the following language:*

*All work on the fencing to screen the cooler, as well as work on the required privacy fence (finished side facing the exterior) between 569 Frasier Street and 553 Frasier Street must be completed by August 6, 2016.*

*All other conditions and stipulations approved in conjunction with the approval to rezone the property on February 10, 2016, shall remain in full force and effect.*

**This matter was Approved on the Consent Agenda.**

**Vote: 6 – 0 – 0**

**Approved as Amended**

#### **4. Parks, Recreation and Tourism: Michelle Cooper Kelly, Chairperson**

**\* 20160486 Frasier/Manget/Lakewood Park Plan**

A motion approving the concept plan dated June 7, 2016, and labeled Exhibit A; further, authorizing staff to proceed with development of a detailed plan and construction documents to implement said concept plan, including the addition of a split rail fence as necessary, and authorizing the City Attorney to proceed with negotiations for additional land acquisition.

**This matter was Approved on the Consent Agenda.**

**Vote: 6 – 0 – 0**

**Approved**

**\* 20160493 FY2017 Tourism Grants**

Motion to approve the grant amounts presented for each tourism organization as included in the Welcome Center Contract:

Atlanta Lyric Theatre -	\$28,666
Earl Smith Strand Theatre -	\$45,000
The Georgia Ballet -	\$5,000
Georgia Symphony Orchestra -	\$15,000
Marietta/Cobb Museum of Art -	\$83,666
Gone with the Wind Museum -	\$40,222
Zion Baptist Church -	\$10,000
Marietta Museum of History	\$130,780
Cobb NAACP's Juneteenth	\$10,500
Symphony on the Square	\$11,166

*Council member Goldstein disclosed that he is an owner of and a general partner for the Herbert S. Goldstein Family Limited Partnership that owns the Earl Strand Theater at 115-119 North Park Square, Marietta GA. The*

*tenant is Friends of the Strand, Inc. Council member Goldstein also owns the property occupied by and leased to Lyric Theater at West Anderson Street. Council member Goldstein abstains on and will not participate on allocation of funds to the above two (2) entities.*

*Council member Goldstein is or has been a member of: Friends of Brumby Hall, Inc., Cobb Landmarks and Historical Society, Inc., Marietta-Cobb Museum of Art, member or participant of Marietta Square Branding Project, Inc; and the Marietta Museum of History.*

*Council Member Goldstein's wife, Elise, is a volunteer in the Georgia Symphony Chorus, which is part of or under Georgia Symphony Orchestra.*

**This matter was Approved on the Consent Agenda.**

**Vote: 5 – 0 – 1                      Approved**  
Abstaining: Philip M. Goldstein

**\*        20160599                      Tourism Grants - City Services**

Motion to approve \$88,418.67 (as allocated) to city services as part of the tourism grants to cover city services for various tourism events during FY2017 as included in the Welcome Center Contract.

**City Service Funded Events**

Marietta/Cobb Museum of Art - \$16,000.00

Marietta Museum of History - \$ 6,856.54

The Branding Project        \$37,000.00

Cobb NAACP Juneteenth    \$10,458.84

Welcome Center            \$18,103.29

*Council member Goldstein disclosed that he is an owner of and a general partner for the Herbert S. Goldstein Family Limited Partnership that owns the Earl Strand Theater at 115-119 North Park Square, Marietta GA. The tenant is Friends of the Strand, Inc. Council member Goldstein also owns the property occupied by and leased to Lyric Theater at West Anderson Street. Council member Goldstein abstains on and will not participate on allocation of funds to the above two (2) entities.*

*Council member Goldstein is or has been a member of: Friends of Brumby Hall, Inc., Cobb Landmarks and Historical Society, Inc., Marietta-Cobb Museum of Art, member or participant of Marietta Square Branding Project, Inc; and the Marietta Museum of History.*

*Council Member Goldstein's wife, Elise, is a volunteer in the Georgia Symphony Chorus, which is part of or under Georgia Symphony Orchestra.*

**This matter was Approved on the Consent Agenda.**

**Vote: 5 – 0 – 1                      Approved**

Abstaining: Philip M. Goldstein

\*        **20160600**

**Capital Special Tourism**

Motion to approve the following tourism allocations as part of the Capital Special Tourism designation to be incorporated in the Welcome Center Contract.

Branding Project	\$39,000
Public Safety Message Board	\$38,800
Public Safety Vapor Weight Dog	\$ 6,650
Friends of Brumby Hall	\$ 5,000

*Council member Goldstein disclosed that he is an owner of and a general partner for the Herbert S. Goldstein Family Limited Partnership that owns the Earl Strand Theater at 115-119 North Park Square, Marietta GA. The tenant is Friends of the Strand, Inc. Council member Goldstein also owns the property occupied by and leased to Lyric Theater at West Anderson Street. Council member Goldstein abstains on and will not participate on allocation of funds to the above two (2) entities.*

*Council member Goldstein is or has been a member of: Friends of Brumby Hall, Inc., Cobb Landmarks and Historical Society, Inc., Marietta-Cobb Museum of Art, member or participant of Marietta Square Branding Project, Inc; and the Marietta Museum of History.*

*Council member Goldstein's wife, Elise, is a volunteer in the Georgia Symphony Chorus, which is part of or under Georgia Symphony Orchestra.*

**This matter was Approved on the Consent Agenda.**

**Vote: 5 – 0 – 1                      Approved**

Abstaining: Philip M. Goldstein

\*        **20160601**

**Welcome Center Contract**

Motion to approve the Welcome Center Contract as allocated and tourism funding and the Lease at 18 Whitlock Avenue.

**This matter was Approved on the Consent Agenda.**

**Vote: 5 – 0 – 1                      Approved**

Abstaining: Philip M. Goldstein

**5. Personnel/Insurance: Johnny Walker, Chairperson**

\*      **20160453                      GMA Voting Delegates**

Appointment of Michelle Cooper Kelly as voting delegate and Grif Chalfant as the alternate voting delegate for the 2016 GMA Business Meeting being held during the GMA Annual Convention Monday, June 26, 2016.

**This matter was Approved on the Consent Agenda.**

**Vote: 6 – 0 – 0                      Approved**

\*      **20160346                      Maternity Leave**

Approval of ordinance adding Section 4-4-16-085 (Maternity leave) allowing full-time employees who have been employed with the City/BLW for at least one year to receive four (4) weeks of paid maternity leave after giving birth to a child.

**This matter was Approved on the Consent Agenda.**

**Vote: 6 – 0 – 0                      Approved**

\*      **20160400                      Military Leave**

Approval of ordinance amending the language in Section 4-4-16-060 regarding paid leaves of absence related to military leave. The change allows the City/BLW to pay employees the difference in salary if their military basic pay is lower than their City/BLW salary.

**This matter was Approved on the Consent Agenda.**

**Vote: 6 – 0 – 0                      Approved**

\*      **20160447                      Public Safety Working Test Period**

Approval of ordinance amendment requiring sworn or certified employees of the police and fire departments to serve an initial working test period of eighteen (18) months.

**This matter was Approved on the Consent Agenda.**

**Vote: 6 – 0 – 0                      Approved**

\*      **20160403                      FY 2017 Revisions to City/BLW Pay and Classification System documents**

Approval of ordinance adopting the City of Marietta and Board of Lights and Water Position Allocation Charts, and the Compensation, Position Classification,

and Career Development Plans for FY 2017, with changes to take effect on the pay period beginning July 3, 2016.

**This matter was Approved on the Consent Agenda.**

**Vote: 6 – 0 – 0**

**Approved**

\* **20160483**

**Amount of Normal Retirement Benefit for Elected Officials**

Approval of ordinance amending the Consolidated Retirement Plan to limit the normal retirement benefit for elected officials sworn into office on or after January 1, 2018, to seventy-three and a half percent (73.5%) of the benchmark amount of the total compensation of the Mayor, including the Mayor's combined compensation as both Mayor and as ex officio Chairman of BLW, as of the elected official's final term of service.

**This matter was Approved on the Consent Agenda.**

**Vote: 5 – 0 – 1**

**Approved**

Abstaining: Philip M. Goldstein

\* **20160484**

**Pension Board Attorney**

Motion approving the law firm Elarbee, Thompson, Sapp & Wilson, LLP as an additional Pension Board Attorney for the current term of Council or otherwise designated.

**This matter was Approved on the Consent Agenda.**

**Vote: 6 – 0 – 0**

**Approved**

**6. Public Safety Committee: Michelle Cooper Kelly, Vice Chairperson**

\* **20160463**

**Policy Revision**

Motion approving revisions to the following Standard Operating Procedures for the Marietta Police Department: A041 Organizational Structure, A044 Uniforms, Equipment, & Department Property, A046 GCIC & NCIC Computer Systems, E035 Critical Response Team, P051 D.U.I. Arrest, S020 Canine Unit, S045 Crime Interdiction Unit, T040 Firearms Qualifications, T050 Training.

**This matter was Approved on the Consent Agenda.**

**Vote: 6 – 0 – 0**

**Approved**

**7. Public Works Committee: Grif Chalfant, Chairperson**

\*      **20160257      Request by Sutton Group for variance from the Underground Utility Ordinance**

Motion to approve the request for removal of two poles and consolidation to one pole at intersection of Cogburn and Roselane Street.

**This matter was Approved on the Consent Agenda.**

**Vote: 6 – 0 – 0                      Approved**

\*      **20160496      Allgood Road Lighting**

Motion to approve the request by Councilwoman Michelle Cooper Kelley for consideration of lighting along Allgood Road from Sawyer Road to Scufflegritt Road.

**This matter was Approved on the Consent Agenda.**

**Vote: 6 – 0 – 0                      Approved**

\*      **20160497      IGA with Cobb County for Stream Monitoring**

Motion to approve an IGA with Cobb County for stream monitoring.

**This matter was Approved on the Consent Agenda.**

**Vote: 6 – 0 – 0                      Approved**

\*      **20160508      Scott Drive No Parking Zone**

Motion to approve the request by MPD for a no parking zone along the frontage of 211, 221 and 231 Scott Drive.

**This matter was Approved on the Consent Agenda.**

**Vote: 6 – 0 – 0                      Approved**

\*      **20160515      Variance from the Underground Utility Relocations Ordinance at Burnt Hickory Road**

Motion to approve the request by Marietta Power for consideration of a variance from the Underground Utility Relocation ordinance at Arbor Terrace on Burnt Hickory Road



**This matter was Approved on the Consent Agenda.**

**Vote: 6 – 0 – 0**

**Approved**

**\* 20160552 Speed Signs on Alexander and Gramling**

Motion to authorize the installation of speed signs on Alexander and Gramling Streets.

*Motion to authorize the installation of speed signs on West Dixie and Gramling Streets. Further, the speed limit on Gramling Street shall be reduced to 25 mph.*

*The title of the agenda item should also be changed to:  
Speed Signs on West Dixie and Gramling*

**This matter was Approved on the Consent Agenda.**

**Vote: 5 – 1 – 0**

**Approved as Amended**

Voting Against: Philip M. Goldstein

**\* 20160423 Request for speed tables**

Motion to begin the process to install two speed tables on Knollwood Drive, Hope Street, Pamela Street. Further, to reduce the speed limit on Forest Lane to 25 mph.

*Motion to begin the process to install two speed tables on Knollwood Drive, Hope Street, Pamela Street and Forest Lane.*

**This matter was Approved on the Consent Agenda.**

**Vote: 5 – 1 – 0**

**Approved as Amended**

Voting Against: Philip M. Goldstein

**OTHER BUSINESS:**

**20160285 V2016-15 [VARIANCE] KEITH CRISTAL**

V2016-15 [VARIANCE] KEITH CRISTAL requesting variances for property located in Land Lots 800, 801, 802 & 856, District 16, Parcel 0020, 2nd Section, Marietta, Cobb County, Georgia, and being known as 800 Williams Drive, currently zoned LI (Light Industrial).

- Variance to allow gravel as an acceptable parking surface.

*Councilman Goldstein disclosed that Keith Crystal is a tenant of Herbert S. Goldstein Family Limited Partnership, which he is a manager, owner and/or general partner.*

*Council member Goldstein stepped down from the dais.*

*City Attorney Douglas Haynie called forward those wishing to speak regarding this matter.*

*Planning and Zoning Manager, Rusty Roth, presented information regarding the requested variance.*

*The applicant, Mr. Keith Cristal, stated that even though there was no action taken last month on the rezoning request for this property, they would like to move forward with the variance request to gravel approximately 5 acres of the property.*

*Discussion was held.*

*A motion was to deny the variance request for property located at 800 Williams Drive.*

**A motion was made by Council member Kelly, seconded by Council member Morris, that this matter be Tabled. The motion carried by the following vote:**

**Vote: 3 – 2 – 0                      Denied**

Voting Against: Stuart Fleming and Grif Chalfant

Absent for the vote: Philip M. Goldstein

**\*        20160343**

**V2016-19 [VARIANCE] IDOC MAIN, LLC**

V2016-19 [VARIANCE] IDOC MAIN, LLC (CRESCENT VIEW ENGINEERING) requesting a variance for property located in Land Lot 1002, District 16, Parcel 0130, 2nd Section, Cobb County, Georgia, and being known as 895 Canton Road, currently zoned CRC (Community Retail Commercial).  
· Variance to eliminate a required planter island. Ward 5B.

**This matter was Approved on the Consent Agenda.**

**Vote: 6 – 0 – 0                      Approved**

**\*        20160566**

**Roswell Street Speed Feedback Sign**

Motion approving a request to install a driver speed feedback sign near Coryell Street.

**This matter was Approved on the Consent Agenda.**

**Vote: 6 – 0 – 0                      Approved**

\* **20160568 Windsor Drive Speed Feed Back Sign**

Motion approving a request to install two driver speed feedback signs on Windsor Drive.

**This matter was Approved on the Consent Agenda.**

**Vote: 6 – 0 – 0**                      **Approved**

\* **20160561**      **Determination of Council representatives on Pension Board**

Approval of ordinance amending the retirement plans of the City of Marietta (Section 4-12-4-010 et seq. and Section 4-12-6-010 et seq.) by changing how the Council representatives on the Pension Board are determined.

*Motion to approve with the following amendment: "...If either of the Chairmen or Vice Chairman is unable or declines to serve for any reason, then a member of the applicable committee shall serve in their stead."*

**This matter was Approved on the Consent Agenda.**

**Vote: 5 – 0 – 1**                      **Approved as Amended**

Abstaining: Philip M. Goldstein

**20160563 Elected Officials Compensation**

Motion to authorize advertisement of two public hearings to amend the Marietta City Charter Section 2.12 and Section 2.7 to provide for an increase in compensation for the Mayor and City Council and Mayor Pro Tem as attached to be effective upon the sitting of the Term of Council January 2018.  
This item is requested by Mayor Tumlin.

*Discussion was held regarding the proposed amendment for an increase in compensation for the Mayor and City Council and Mayor Pro Tem.*

*A motion was made by Council member Chalfant, seconded by Council member Morris, to amend the proposed salary for Council to \$15,000. The Mayor's salary would be \$25,200 as presented.*

*A substitute motion was made by Council member Fleming, seconded by Council member Kelly, to approve the proposed salary for Council of \$18,900, with the Mayor's salary to \$25,200 as presented.*

*The motion carried by the following vote:*

**Vote: 4 - 3 - 0**                      **Approved for Advertisement**

Voting Against: Grif Chalfant, Johnny Walker, and Andy Morris  
(Mayor Tumlin voted on the this matter due to the tie vote)

\*      **20160596**                      **MEAG Power 2016 Annual Election/ Voting Delegate Recommendation**

Motion to approve a recommendation by the Board of Lights and Water to appoint G.A. (Andy) Morris as the voting delegate on the 2016 Municipal Electric Authority of Georgia (MEAG) Election Committee and Ron Mull as alternate voting delegate.

**This matter was Approved on the Consent Agenda.**

**Vote: 6 – 0 – 0                      Approved**

\*      **20160551**                      **BLW Actions of May 9, 2016**

Review and approval of the May 9, 2016 actions and minutes of Marietta Board of Lights and Water.

**This matter was Approved on the Consent Agenda.**

**Vote: 6 – 0 – 0                      Approved**

**UNSCHEDULED APPEARANCES:**

*Those addressing Council were Doug Martin, Daryl Mann and Jeffery Phillips, residents of Ward 5.*

**A motion was made in open session by Council member Goldstein, seconded by Council member Fleming, to enter an Executive Session to discuss real estate acquisition. The motion carried by the following vote:**

**Vote: 6 – 0 – 0                      Approved**

*The Executive Session was held.*

**A motion was made in open session by Council member Fleming, seconded by Council member Goldstein, to exit the Executive Session. The motion carried by the following vote:**

**Vote: 6 – 0 – 0                      Approved**

*A motion was made by Council member Fleming, seconded by Council Chalfant, to suspend the rules of order to add an item to direct staff and the City Attorney to begin the process towards condemnation of property owned by Mr. Bite for the purpose of developing the Frasier/Manget/Lakewood Park. The motion carried by the following vote:*

*Vote: 6 - 0 - 0                      Approved*

*A motion was made by Council member Fleming, seconded by Council Chalfant, to approve the motion to direct staff and the City Attorney to begin the process towards condemnation of property owned by Mr. Bite for the purpose of developing the Frasier/Manget/Lakewood Park. The motion carried by the following vote:*

*Vote: 6 - 0 - 0                      Approved  
(See agenda item 20160720)*

**ADJOURNMENT:**

*The meeting was adjourned at 9:25 p.m.*

**Date Approved: July 13, 2016**

\_\_\_\_\_  
**R. Steve Tumlin, Mayor Tumlin**

**Attest:** \_\_\_\_\_  
**Stephanie Guy, City Clerk**